



Atty. Dkt. No. 036481-0135

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joel R. Haynes et al.  
Title: Adjuvanted Genetic Vaccines  
Appl. No.: 09/433,777  
Filing Date: 11/3/1999  
Examiner: A. M. S. Wehbe  
Art Unit: 1633  
Confirmation Number: 2990

|  |                              |
|--|------------------------------|
| <b>CERTIFICATE OF EXPRESS MAILING</b>  |                              |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                              |
| EL 962424171US<br>(Express Mail Label Number)  | 8/23/06<br>(Date of Deposit) |
| Charles J. Schrecl<br>(Printed Name)   |                              |
| Charles J. Schrecl<br>(Signature)  |                              |

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

|                     | Claims |         | Previously |   | Extra  |         | Additional |            |
|---------------------|--------|---------|------------|---|--------|---------|------------|------------|
|                     | As     | Amended | Paid For   |   | Claims | Present | Rate       | Claims Fee |
| Total Claims:       | 28     | -       | 43         | = | 0      | x       | \$50.00    | = \$0.00   |
| Independent Claims: | 2      | -       | 4          | = | 0      | x       | \$200.00   | = \$0.00   |

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| First presentation of any Multiple Dependent Claims: + \$360.00 = \$0.00 |
| CLAIMS FEE TOTAL = \$0.00  |

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|   |            |          |
|---|------------|----------|
| [ ] Extension for response filed within the first month:    | \$120.00   | \$0.00   |
| [ X ] Extension for response filed within the second month: | \$450.00   | \$450.00 |
| [ ] Extension for response filed within the third month:    | \$1,020.00 | \$0.00   |
| [ ] Extension for response filed within the fourth month:   | \$1,590.00 | \$0.00   |
| [ ] Extension for response filed within the fifth month:    | \$2,160.00 | \$0.00   |
| EXTENSION FEE TOTAL: \$450.00                               |            |          |
| [ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):       | \$130.00   | \$0.00   |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: \$450.00        |            |          |
| [ ] Small Entity Fees Apply (subtract ½ of above):          |            | \$0.00   |
| Extension Fees Previously Paid: \$0.00                      |            |          |
| TOTAL FEE: \$450.00   |            |          |

A credit card payment form in the amount of \$450.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 23, 2006

By Vid Mohan

FOLEY & LARDNER LLP  
Customer Number: 22428  
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Richard C. Peet, Reg. No. 35,792  
Vid Mohan-Ram, Reg. No. 55,459



Atty. Dkt. No. 036481-0135

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joel R. HAYNES *et al.*  
Title: ADJUVANTED GENETIC VACCINES  
Appl. No.: 09/433,777  
Filing Date: November 3, 1999  
Examiner: A. M. S. Wehbe  
Art Unit: 1632

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| EL 962424171US<br>(Express Mail Label Number)  | 8/23/2006<br>(Date of Deposit) |
| <i>Charles J. Schreck</i><br>(Printed Name)  |                                |
| <i>Charles J. Schreck</i><br>(Signature)   |                                |

**RESPONSE TO OFFICE ACTION UNDER 37 CFR 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated March 23, 2006, concerning the above-referenced patent application; and is accompanied by a Petition for a two (2) month extension of time and requisite fee to make this filing timely as of today, August 23, 2006. Nevertheless, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

**Amendments to the Specification** begin on page 2 of this document; the **Listing of the Claims** begins on page 7; the **Remarks/Arguments** begin on page 11. Please amend the application as follows below.